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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/684,171   | 10/10/2003  | Richard J. Ericson   | OT-4416A            | 2595             |
| 26584  | 7590        | 06/08/2006           | EXAMINER            |                  |
| OTIS ELEVATOR COMPANY<br>INTELLECTUAL PROPERTY DEPARTMENT<br>10 FARM SPRINGS<br>FARMINGTON, CT 06032 |             |                      | LANGDON, EVAN H     |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 3654                |                  |

DATE MAILED: 06/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/684,171             | ERICSON ET AL.      |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Evan H. Langdon        | 3654                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 22-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 17 May 2006 has been entered.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 22-24 and 26-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Piper (US 982,742).

Piper '742 discloses an elevator system having a tension member (10) for suspending the elevator loads and a termination device for the tension member, the termination member including a compressive system to provide a first retaining mechanism 6, 3, a clamp 17 engaged with the cut side of the tension member to provide a second retaining mechanism. With regard to the preamble of claim 22, "An elevator system having a tension member for suspending the elevator loads", as broadly recited, Piper discloses that his device can be used in connecting cable to heavy loads on page 1, lines 19-20.

Re claim 23, the clamp (17) is engaged with the cut side of tension member (10) to provide the second retaining mechanism.

In regards to claim 24, the clamp 17 is separated from the compressive system

Re claim 26, the clamp includes a first portion (6), second portion (6), and a fastener (17) engaged with both portions to provide a clamping force between the two portions to retain the tension member.

Claims 22-24 and 26-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Mardis (US 2,189,671).

Mardis '671 discloses an elevator system having a tension member (9) for suspending the elevator loads and a termination device for the tension member, the termination member including a compressive system to provide a first retaining mechanism 3,6, a clamp 18 engaged with the cut side of the tension member to provide a second retaining mechanism. With regard to the preamble of claim 22, "An elevator system having a tension member for suspending the elevator loads", as broadly recited, Mardis discloses that his device can be used in connecting cable to heavy loads on page 1, lines 18-23.

Re claim 23, the clamp (18) is engaged with the cut side of tension member (9) to provide the second retaining mechanism.

In regards to claim 24, the clamp 18 is separated from the compressive system

Re claim 26, the clamp includes a first portion (3), second portion (6), and a fastener (18) engaged with both portions to provide a clamping force between the two portions to retain the tension member.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Piper in view of Down (US 4,143,446).

Piper '742 discloses an elevator system having a tension member (10) for suspending the elevator loads and a termination device for the tension member, the termination member including a compressive system to provide a first retaining mechanism. Piper doesn't disclose a clamp comprises a first portion including grooves and a second portion including ridges.

Down '446 discloses a clamp comprising a first portion including grooves, Figs. 6 & 7, a second portion including ridges that compliment the grooves for providing a clamping force to the tension member.

With respect to claim 25, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized a clamp for the termination device of Piper as taught by Down in order to provide additional safety for the tension member connection.

Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mardis in view of Down (US 4,143,446).

Mardis discloses an elevator system having a tension member (9) for suspending the elevator loads and a termination device for the tension member, the termination member

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including a compressive system to provide a first retaining mechanism. Mardis doesn't disclose a clamp comprises a first portion including grooves and a second portion including ridges.

Down '446 discloses a clamp comprising a first portion including grooves, Figs. 6 & 7, a second portion including ridges that compliment the grooves for providing a clamping force to the tension member.

With respect to claim 25, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized a clamp for the termination device of Mardis as taught by Down in order to provide additional safety for the tension member connection.

### ***Response to Arguments***

Applicant's arguments with respect to claims 22-26 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H. Langdon whose telephone number is (571)272-6948. The examiner can normally be reached on M-F 8:30-5:00.

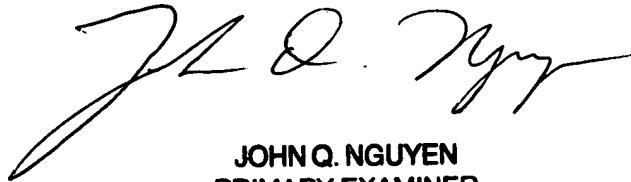
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



ehl



**JOHN Q. NGUYEN  
PRIMARY EXAMINER**